

REMARKS

Reconsideration of the subject application is respectfully requested in light of the comments which follow. Claims 6-13 and 43-49 are pending. No amendments are offered by this paper.

Entry of the forgoing is appropriate pursuant to 37 C.F.R. §1.116 for at least the following reasons. First, the amendments address the new grounds of rejection under 35 U.S.C. §112, second paragraph, thereby reducing the number of issues present upon appeal. Second, the amendments raise no new issues that would necessitate further search and/or substantive reexamination. Third, the amendments clearly overcome the grounds of rejection.

OBVIOUSNESS-TYPE DOUBLE PATENTING

A properly executed terminal disclaimer in each of the double patenting rejections is submitted herewith. Therefore, the rejections are moot and should be withdrawn.

The following specific details are offered:

Claims 6-13 and 43-49 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of copending U.S. Patent Application No. 09/971,351 on the grounds set forth in paragraph 4 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent Application No. 09/971,351. Accordingly, the rejection is moot and should be withdrawn.

Claims 6-13 and 43-49 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims

of copending U.S. Patent Application No. 09/970,840 on the grounds set forth in paragraph 5 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent Application No. 09/970,840. Accordingly, the rejection is moot and should be withdrawn.

Claims 6-13 and 43-49 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,673,002 on the grounds set forth in paragraph 6 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent No. 6,673,002. Accordingly, the rejection is moot and should be withdrawn.

Claims 6-13 and 43-49 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,808,479 on the grounds set forth in paragraph 7 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent No. 6,808,479. Accordingly, the rejection is moot and should be withdrawn.

Claims 6-13 and 43-49 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,855,101 on the grounds set forth in paragraph 8 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent No. 6,855,101. Accordingly, the rejection is moot and should be withdrawn.

Claims 6-13 and 43-49 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,837,841 on the grounds set forth in paragraph 9 of the Official Action. Submitted herewith is a properly executed Terminal Disclaimer over U.S. Patent No. 6,837,841. Accordingly, the rejection is moot and should be withdrawn.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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